

## COMMITTEE ON PERSONNEL/INSURANCE

**February 17, 1998**

**6:15 PM**

Chairman Sysyn called the meeting to order.

The Clerk called the roll.

**Present:** Aldermen Sysyn, Klock, Pinard, Shea, O'Neil

Chairman Sysyn addressed Item 3 of the Agenda:

Communications submitted by the Human Resources Director for informational purposes:

- A. Communication from Employee Relations Manager relative to ADA Accommodations
- B. New Hire Report
- C. Termination Report
- D. Vacancy Report

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to receive and file the above items.

Alderman Shea asked for hiring purposes, if somebody would like to be hired by and is ADA, in other words they fall under that stipulation, who would they speak to. I have a ...

Mr. Hobson answered right now the acting ADA Coordinator for the City is Christine Martinsen who reports through our office.

Alderman Shea asked if somebody is handicapped or falls under that they should call for job opportunities or whatever.

Mr. Hobson answered they should call Christine and if the person needs either accommodations or alternate formats of receiving a job, we are in the process of

putting in telecommunication devices for the deaf. We do have job postings on disk so people who are blind can utilize that. Anything along those lines please have them call Christine.

E. Exempt Overtime Update

Mr. Hobson stated Item E is an extension from the overtime report and while it is classified as an update, I actually do want a vote or request a vote of the Committee so you know what is happening. Since the report that was given in January, we more or less came up with a total of approximately 9 positions, not necessarily people, but 9 positions who over a period of time there has been some confusion about whether or not their status's were exempt or non-exempt and whether or not they were eligible for overtime or not. Secondly, going back historically at least through 1990 we could not find the proper documentation that stated that the Board of Mayor and Aldermen did, in fact, approve these positions. I wanted to clear up all of that confusion and bring that to you tonight. At this point I believe the overtime research issue from my department, I think is closed. I don't see these positions or these issues as vastly different from the things that happened with the Highway Department. That is, we did research with people in my office. Mr. Moran is our resident historian. He has been here 17 years. I talked with him about different things that didn't take place or did take place. He concurred with me that we should bring this to your attention and ask for you to approve these similar to what you did with the Highway Department just through July 1 and/or the end of the study. So Mr. Decker's work should bring this issue to closure or I should say the Board's acceptance of Mr. Decker's work or my office will bring it to closure on July 1 with recommended changes.

Alderman O'Neil made a motion to move the item for discussion. Alderman Klock duly seconded the motion.

Alderman O'Neil asked, Mark, if we can go to your letter labeled 3, I think it is in the middle of all the info from you, start department by department. With the Public Building Services, just a question. The second grade 23, the Building and Asbestos Supervisor, is that a vacant position?

Mr. Hobson answered we approved changing the name of that to Building Program Supervisor since this memorandum. That is item #1. Item #2 we did post that position and I believe it was filled. I don't think Mr. Houle is here, but I think that position was filled.

Alderman O'Neil stated so the fact that we filled it, we still filled it knowing that there were some concerns about...not filling it, but shouldn't it have been brought up for us to take a look at with regards to the overtime issue.

Mr. Hobson replied we told the individual, all of these individuals were stopped in receiving their overtime when the issue happened. If you recall, I think you were here at the time on December 2, Alderman Wihby asked me to direct all Department Heads so all of these positions...

Alderman O'Neil responded but the new person in this position, until July 1 or if this is approved tonight...

Mr. Hobson interjected will be eligible through July 1.

Alderman O'Neil asked is that what we really want to do with this particular position.

Mr. Hobson answered this position, in my opinion, it does happen that this person is on call. I remember the previous person, when I worked in the School District, often when I placed emergency service I had to deal with the person who was prior to this job for school buildings especially.

Alderman O'Neil replied so they took it with the understanding that they would be compensated at least until July 1.

Mr. Hobson responded they knew that that is what I would propose.

Alderman O'Neil stated on the second, very vague letter from the Parks & Recreation with regards to what the position is, what grade is the position, can you tell me the grade.

Mr. Hobson answered I thought we had two pieces in there Alderman. I'm sorry, the grade is Grade 22 and previously the position was called something along the lines of Golf Course Superintendent or Golf Grounds Superintendent. It has been named a couple of things in its history.

Alderman O'Neil stated the third item with regards to the Water Works, I have talked with Tom about my concern about the Grade 29 position. It seems all our discussion seems to center around 23's, 24's, 25's and I have a real concern with a 29 and I know your recommendation is to at least let it go forward until the adoption of Yarger Decker or July 1. Tom, if this position was suggested to you

that we pull that out of one of your six rotating supervisors on call could you come up with something to fill that slot with another person or would they have to...

Mr. Bowen answered it would probably mean that the rotation would have to go to a five man rotation.

Alderman O'Neil replied obviously you understand my concern about a 29 which is at least four grades higher than other positions we have been talking about.

Mr. Bowen responded this person is a professional engineer and the normal activities that he performs as part of his regular job he doesn't get any overtime for. I mean if he is out of town at a meeting or if he is you know just doing his day-to-day work he is not getting overtime. When he goes out on a leak on Elm Street at 4 a.m. that is the kind of overtime that we are talking about.

Mr. Hobson stated it is related in my discussion with you. It is also related to the call back pay kind of scenario. It is not like we do any planned overtime for this person. It is on a call back scenario.

Alderman O'Neil stated I just want to reiterate my concern of the fact that it is a Grade 29 and is considerably higher than other positions we have talked about the past couple of weeks. Finally, if I may, with regards to the Fire Department I was not led to believe but this call back at the Fire Department affects every single person from the Chief on down to last hired firefighter. It is not something exclusively for the top people of the Fire Department, it is anybody who is technically a firefighter which the Chiefs all are. So it is to me a little bit of a different situation than the overtime for exempt employees.

Mr. Hobson answered I would agree with you. It does fall under, once again, the call back scenario and in speaking with the City Solicitor, that too is an issue for exempt employees. I did speak with the Chief and the Deputy Chief and we agreed that it was prudent to bring this to your attention. This puppy here is well over 32 years old that this has been going on so it is just something to bring to your attention.

Alderman O'Neil asked has this already been paid for.

Mr. Hobson answered that is how we actually discovered it, through auditing Payroll files. It is no surprise. Every year the Chief budgets for it. It is actually a separate line item in their salary account.

Alderman Shea asked because of the overtime that the District Chiefs would receive, is it conceivable that they would be compensated more than a Deputy Chief or the Fire Chief. I know that in the Police Department it is common, but I didn't know is it common in the Fire Department that a District Chief would gain more salary than a Deputy or a higher ranking officer.

Chief Kane answered number one the District Chiefs are covered under contract. It is a possibility that a District Chief could match a Deputy Chief's salary.

Mr. Hobson stated Alderman O'Neil brought up a very good point about the Grade 29. Could I just address that for one minute? One of the things we are talking with Mr. Decker very carefully about is the concept of salary and grade tied to one's exempt status or non-exempt status. You could have a paraprofessional in a given environment that could be paid as high as a 25 or 26 but still be non-exempt because of their focus of their duties. Lets say we came up with a Master Plumber who was paid a Grade 26 and we know that that person has to be on call. You can have accountants that work a 35 or a 40 hour work week that could also be a Grade 25 but they would be exempt. So the federal law states that we can't just use a litmus test of salary, we have to use duties and Alderman O'Neil brings up a good point and that is something that we are stressing to Mr. Decker over and over again about the fact that this needs to be fixed and I think he has heard our cry and he is aware of all of the things that have happened through this process as well.

Alderman O'Neil asked, Tom, if we did ask you to take this person off the rotation at least in the interim, does that really mess up operations.

Mr. Bowen answered it means that the people that are on stand-by would have to cover four times. Particularly in a short month it can be very disruptive because they have already made plans for vacations, etc.

Alderman O'Neil stated even if Yarger Decker doesn't recommend something with this, I probably will because it is an awful high grade to be paying somebody overtime on a regular basis.

On motion of Alderman O'Neil, duly seconded by Alderman Klock, it was voted to accept this report.

Chairman Sysyn addressed Item 4 of the Agenda:

Request of Police Department to upgrade the Information Support Assistant position to Information Support Specialist, Class Code 1242, Grade 22, which should have occurred when the board acted on these positions on February 3, 1998.

On motion of Alderman O'Neil, duly seconded by Alderman Klock, it was voted to approve this request.

Alderman Shea stated the role of the Information Support Assistant is what, Chief.

Chief Driscoll answered I guess I would basically say that this position at the Police Department is presently a Grade 17. Diane Prew, as well as the Personnel Director came before the Personnel Committee and the full Board some time ago in an effort to bring all of these positions city-wide into some type of standardized position realizing that people were moving from department to department and that Diane Prew couldn't hire folks to fill these positions because the pay grade was at a pay grade 20. I think it was the intent of everyone to include this position in it, along with another position at the Police Department. That wasn't done. For some reason this gentleman was overlooked. We came back and spoke with the Personnel Director and he agreed that this should happen. This gentleman has looked at positions at both Fire and Information Systems now. We don't believe he wants to leave the Police Department, but there are positions that are paying, for the same work, five pay grades higher. It would be very disruptive to lose him. It just wouldn't be a positive thing. Rather than have this individual leave the Police Department, we thought that it was appropriate that we come before you and ask that he be upgraded.

Alderman Shea asked has he worked very long in the department, Chief.

Chief Driscoll answered I would say about a year and a half. He is an excellent employee.

Mr. Hobson stated the reason was, as you saw in the memo, it was overlooked because it was considered temporary. That is all. Nothing else happened. Mr. Decker is going by his drill and he knows he is not supposed to look at temporary positions. He thought this one was temporary and it was just a plain, old mistake.

Chairman Sysyn addressed Item 5 of the Agenda:

. Communication from City Clerk requesting an extended work week for five employees (March through June 1) as a result of anticipated medical leaves.

On motion of Alderman O'Neil, duly seconded by Alderman Klock, it was voted to approve this request.

Chairman Sysyn addressed Item 6 of the Agenda:

Updated report from Yarger Decker and Thomas, Inc.

Alderman O'Neil stated on the compensation survey, Item 2 on Page 6, the very last line "however we will attempt to provide you" I believe he is addressing Frank Thomas, members of the Quality Management Committee, and Mark Hobson, "you and the Mayor with a very rough implementation cost estimate by April" I would ask that that include, because I know we will be involved in the process, the 14 Aldermen as well. Any problem with that, Mark?

Mr. Hobson answered there are two members of this Committee, Aldermen Klock and Pinard that are now on it. I don't think anyone has a problem with that.

Alderman Shea asked has anything transpired since this report.

Mr. Hobson answered the last update is that most likely on Friday, February 27 at 10 a.m. I believe we will be calling an Oversight Committee Meeting and members of the Quality Management Committee. I was directed to try to get a hold of Mr. Decker to have a teleconference call at our last Quality Management Committee meeting, so once I get that confirmed with Mr. Decker I will send that out. It is more, frankly, some Union representatives were concerned that they wanted to hear directly from Mr. Decker some guidance on some of the things that are being raised by their members and Frank Thomas thought it was a prudent thing to set that up so we are going to do that. I will be letting everybody know that in writing.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to receive and file this item.

Chairman Sysyn addressed Item 7 of the Agenda:

Communication from the NH Division of the American Cancer Society requesting to approach City employees with a "Daffodil Day" fundraising kit.

Alderman Shea asked have we done this in the past according to the City Clerk or is this an unusual request.

Clerk Johnson answered it is not an unusual request. Well, it is different than the other requests that we have had. This is a fundraising request and I don't think that the Committee has dealt with fundraising requests in the past.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to receive and file this item.

Chairman Sysyn addressed Item 8 of the Agenda:

. Communication from Sam's Club requesting distribution of extended passes to City employees.

A motion was made by Alderman Pinard, and duly seconded by Alderman Klock to approve this request.

Alderman Shea stated the point is are they extending the passes. In other words, they started and...

Chairman Sysyn answered they gave them a free pass. Isn't that what it was?

Clerk Bernier replied that is correct, for the Holiday season. So we assume they are going to reissue free passes.

Alderman Shea stated I don't know. I am a little bit concerned that they are having an unfair business advantage over other people and I am opposed. I don't know about the others, but I figure one pass is enough.

Clerk Johnson responded although it indicates a free pass, I was informed by some employees that it is not a free pass in essence, but you are paying the same premium as if you went in and were a non-member so I don't know if the Committee wants to look into that any further.

Alderman O'Neil asked, Carol, are you saying that there may be some concerns that we may need to look into.

Mr. Hobson stated as I was sitting here Carol informed me that my own secretary raised a problem that apparently I wasn't aware of at all. If there is a question mark then I say that we can just wait and find out more information and bring it back to the Committee, I guess. I am a little perplexed. I am not sure.

On motion of Alderman Pinard, duly seconded by Alderman Klock, it was voted to rescind the previous motion.

On motion of Alderman Shea, duly seconded by Alderman Klock, it was voted to table this item.

Chairman Sysyn addressed Item 9 of the Agenda:

Communication from Concerned Taxpayers of Manchester requesting a ruling by the Solicitor within 60 days relative to overtime pay received by employees of the Finance Department.

On motion of Alderman Shea, duly seconded by Alderman O'Neil, it was voted to receive and file this item.

### **NEW BUSINESS**

Communication from Building Commissioner requesting approval of extended work week for clerical staff.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to approve this request.

Mr. Ntapolis asked to address the Committee.

Mr. Ntapolis stated I only have one issue and I think I copied the Aldermen about a week ago relative to the bid process for the City's property insurance and broker prequalification. I didn't have it ready for the agenda last week because it wasn't until late Friday afternoon that the four brokers are now known to us. They are Gordon and Powers Insurance, Foye Insurance, Ferdinando Insurance, and the Insurance Exchange. They are currently filling out a questionnaire giving their commercial backgrounds, etc., the type of thing that we do as part of the procurement code and it is done once every three or four years. Shortly thereafter,

I will have the specifications complete and market assignments. That will then be issued to each of the brokers, assignments made directly to the companies, and we are expecting round about Easter that all of the commercial insurance that is going to be bid upon this year for the City we will have those results in. The award will taken place for the successful bidders on the various lines of insurance somewhere around the first week of May because expiration dates are all coterminous right about mid-May and I will keep you apprised at each interval as we go forward.

Alderman Shea asked when the bid is awarded, by whom is that bid awarded.

Mr. Ntapolis answered it is awarded by the Risk Manager.

Alderman O'Neil asked is it a low bid, Harry.

Mr. Ntapolis answered it is the lowest responsible bid. It follows the criteria under Section 20.5.11 under the Procurement Code so there is a number of things that we look at. The type of coverage and the lowest bid, the ability to deliver, the ability to meet the specifications to the detail that we have asked for. So there are a few other things that we look at as well as the dollar amount.

### **TABLED ITEMS**

Communication from United Steelworkers, Local Union #8938 regarding overtime payments to salaried employees.

(Tabled 1/20/98)

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to remove this item from the table.

On motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to receive and file this item.

Communication from Alderman Hirschmann regarding a Sidewalk Action Team proposal.

(Tabled 1/20/98)

This item remained on the table.

Chairman Sysyn stated today somebody suggested to me in discussing some of the retirees that when people retire they don't get anything towards health insurance or dental insurance, but you might want to use it as an incentive to get some people to retire. The reason they don't retire is because they have to pay for it so that might be something you want to look into.

Alderman O'Neil stated I attended, with Alderman Pinard, the first forum that Human Resources and the City Retirement Board put together and just in casual conversation at our table the question was asked how many employees are eligible for retirement but health benefits are probably keeping them from doing that and there may be in the vicinity of 150.

Chairman Sysyn replied and you could save money probably by getting these people to retire.

Alderman O'Neil responded right and an example is if somebody is making \$40,000 a year and it costs us \$2,000 for insurance and the new person filling that position is \$27,000, you know we are ahead of the game so it is probably something we should look into.

Mr. Hobson asked do you want to direct me to do something about it.

Alderman Shea stated I know that the School Department is doing the same thing.

Mr. Hobson replied yes. We, in my semi-past life we did bring that to the table with the teacher's union and as Alderman Shea knows, over 30 people responded. It is a win-win, in my opinion, it is a win-win for the City and for the taxpayers. I have had this discussion with Bob Stanton in the past, the Director, and I would love to get your direction to start something like that.

On motion of Alderman O'Neil, duly seconded by Alderman Klock, it was voted to have the Human Resources Director look into the above issue.

Alderman O'Neil stated if you have a chance to attend one of their future forums, by all means, I learned a lot by being there.

Mr. Hobson stated we are having one tomorrow, the first Wednesday in March and the third Wednesday in March.

Alderman O'Neil asked Mark about the status of the work on the administrative rules and regulations and guidelines and policies so that we, with regards to overtime...I mean are we actually heading or is there something you need that isn't being provided or...

Mr. Hobson answered on the overtime policy, we have submitted a draft to the City Solicitor and to Yarger, Decker and Thomas. We are waiting for feedback on that draft. We will bring it back to you through an Ordinance. It is in process. We are also looking at modifying Ordinances on the hiring process and Yarger Decker will be bringing to you changes that impact all of the related classification types, Americans with Disabilities Act, FLSA, etc.

Alderman O'Neil asked how far away are we from the draft on this policy.

Mr. Hobson answered I would be happy to bring you a third round draft for the next Committee for your review.

Alderman O'Neil replied that would be fine. It is something that we need so we don't get ourselves in that same situation again. So the intent is not to wait for Yarger Decker, it is to do something before...

Mr. Hobson answered it is to use him now.

Alderman Shea asked, Mark, how is the HTE system working. Is it kind of doing okay? I know Janelle is here, but I am just wondering are the departments sort of up as far as what they know, their budgets and so forth.

Mr. Hobson answered I submitted to you a new hire report and a termination report off of the HTE system. We tweaked it after the last meeting. Department by department we have been having some excellent meetings, I think, with the worker bees if you will. The Payroll staff people, the Business Service Officers, going through some training. Fire Department, Police Department is here, Water Works is here. In my opinion it is improving everyday. It is a learning curve.

Alderman Shea asked what is it about 90%, 80%, 75%, 95%, 60%, 48%, what?

Mr. Hobson answered we are using it to do the budget process. My guess would be that we are probably in the 75% to 85% range. Was that a good guess, Janelle?

Ms. Laroch answered yes. We sometimes have to shift focus a little bit depending on what priority rears its head. Currently it is getting everything set up to take advantage of the budget process so when that happens we sometimes have to go a little bit off track on some of the really learning the system on a day-to-day operational basis to get some of the big things out of the way and then we come back to working on the day-to-day issues that really need to be refined and perfected. But any situation where we have a large meeting and different people from our various departments then we get to do a lot of sharing and people get to know who in the group is using this in a different way and it kind of broadens the expertise the group has as a whole because there are other users that may have learned the system much better and can help so they are not relying totally on us to disseminate all the knowledge that they need. I think that is happening pretty well. We have had a few rough hurdles trying to get the W-2's out with changes. You know you look at the fact that we came on at a half of year, we didn't have a clean year's worth of stuff and that we had some problems with the School Department and it has taken us awhile to get under our belts. I think all in all we are still making really good progress.

Mr. Hobson stated Janelle led me into this segway which I just want you to hear one good news because I know some of you have attended this in the past. We have had excellent progress in working with the School District, the School Department on solidifying our relationship, sharing information, but I will tell you that it has come at a cost. An enormous amount of our time and resources are spent working with them. They are basically the same size as the rest of the City. I think you all know that. So we got the City operation, then we have the School operation which is as big as the City and it takes an enormous amount of time. Sometimes we receive as many as 30 or 40 calls and faxes from their office a day and that is not an exaggeration. So it has improved, but it has also taken a lot of time.

Alderman O'Neil asked, Mark, are you comfortable that we know who all the exempt employees are that have been getting overtime. Are we comfortable that we have all the information that in order for it to continue it should come before...because we have only really had five departments come in.

Mr. Hobson answered right now we are running monthly overtime reports and we are attempting to spend as much, I am personally with Janelle spending a great deal of time reviewing overtime issues. I feel, I think I said earlier I am in the high 90's on the comfort range right now and if anything else surfaces you will know. I will bring it to your attention.

2/17/98 Personnel/Insurance

14

There being no further business to come before the Committee, on motion of Alderman Shea, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee